

PATENT  
Docket No. 10721/17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lytton Williams, et al.

Serial No.: 09/644,026

Filed: August 22, 2000

For: METHOD AND APPARATUS FOR  
INTERVERTEBRAL IMPLANT ANCHORAGE

**Examiner:**

Group Art  
Unit:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

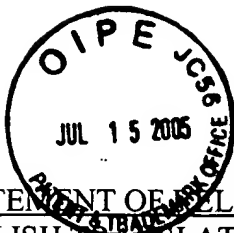
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.



STATEMENT OF RELEVANCE OF REFERENCES LISTED UNACCOMPANIED BY  
ENGLISH TRANSLATION UNDER 37 CFR § 1.98(A)(3)

In accordance with 37 CFR § 1.98(a)(3), the following concise explanation of the relevance of each listed reference that is not in the English language and unaccompanied by a translation into English is provided.

Dated this 13<sup>th</sup> day of July 2005.

Respectfully submitted,

David Meibos  
Attorney for Applicant  
Registration No. 45,885

MedicineLodge, Inc.  
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DM

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

09/644,026

Filing Date

August 22, 2000

First Named Inventor

Lytton A. Williams

Art Unit

Examiner Name

Attorney Docket Number

10721/17

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

Return Receipt Postcard and Copies of All Listed Foreign References

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MedicineLodge, Inc.		
Signature			
Printed name	David Meibos		
Date	7-13-05	Reg. No.	45,885

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Kathleen Hansen	Date	7/13/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Form Equivalent To PTO-1449

Sheet 1 of 7

Applicant: Lytton Williams, et al.

Serial No.: 09/644,026

Filing Date: August 22, 2000

For: Method and Apparatus for Intervertebral Implant Anchorage

Docket No.# 10721/17

Group:

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue/Publication Date</u>	<u>Name</u>
____ 1	US3875595	4/8/1975	Froning; Edward C.
____ 2	US4309777	1/12/1982	Patil; Arun A.
____ 3	US4349921	9/21/1982	Kuntz; J. David
____ 4	US4401112	8/30/1983	Rezaian; Seyed M.
____ 5	US4501269	2/26/1985	Bagby; George W.
____ 6	US4553273	11/19/1985	Wu; Kent K.
____ 7	US4554914	11/26/1985	Kapp; John P.
____ 8	US4599086	7/8/1986	Doty; James R.
____ 9	US4627853	12/9/1986	Campbell; Todd D.
____ 10	US4636217	1/13/1987	Ogilvie; James W.
____ 11	US4678470	7/7/1987	Nashef; Aws S.
____ 12	US4714469	12/22/1987	Kenna; Robert V.
____ 13	US4743256	5/10/1988	Brantigan; John W.
____ 14	US4743259	5/10/1988	Bolander; Mark E.
____ 15	US4759769	7/26/1988	Hedman; Thomas P.
____ 16	US4834757	5/30/1989	Brantigan; John W.
____ 17	US4863476	9/5/1989	Shepperd; John A. N.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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For: Method and Apparatus for Intervertebral Implant Anchorage

Examiner Initial*	Document Number	Issue/Publication Date	Name
____ 18	US4878915	11/7/1989	Brantigan; John W.
____ 19	US4892545	1/9/1990	Day; James L.
____ 20	US4932975	6/12/1990	Main; John A.
____ 21	US4961740	10/9/1990	Ray; Charles D.
____ 22	US4997432	3/5/1991	Keller; Arnold
____ 23	US5015247	5/14/1991	Michelson; Gary K.
____ 24	US5026373	6/25/1991	Ray; Charles D.
____ 25	US5055104	10/8/1991	Ray; Charles D.
____ 26	US5059193	10/22/1991	Kuslich; Stephen D.
____ 27	US5062850	11/5/1991	MacMillan; Michael
____ 28	US5071437	12/10/1991	Steffee, Arthur D.
____ 29	US5123926	6/23/1992	Pisharodi; Madhavan
____ 30	US5147402	9/15/1992	Bohler; Nikolaus
____ 31	US5192327	3/9/1993	Brantigan; John W.
____ 32	US5236460	8/17/1993	Barber; Forest C.
____ 33	US5258031	11/2/1993	Salib; Richard M.
____ 34	US5263953	11/23/1993	Bagby; George W.
____ 35	US5290312	3/1/1994	Kojimoto; Haruo
____ 36	US5306310	4/26/1994	Siebels; Wolfgang

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<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue/Publication Date</u>	<u>Name</u>
____ 37	US5314477	5/24/1994	Marnay; Thierry
____ 38	US5336223	8/9/1994	Rogers; Charles L.
____ 39	US5397364	3/14/1995	Kozak; Jeffrey
____ 40	US5401269	3/28/1995	Buttner-Janz; Karin
____ 41	US5417975	5/23/1995	Lussi; Heinz
____ 42	US5425769	6/20/1995	Snyders, Jr.; Robert V.
____ 43	US5425773	6/20/1995	Boyd; Lawrence M.
____ 44	US5439684	8/8/1995	Prewett; Annamarie B.
____ 45	US5455231	10/3/1995	Constantz; Brent R.
____ 46	US5458641	10/17/1995	Ramirez Jimenez; Juan J.
____ 47	US5464439	11/7/1995	Gendler; El
____ 48	US5480442	1/2/1996	Bertagnoli; Rudolf
____ 49	US5507813	4/16/1996	Dowd; Michael
____ 50	US5507816	4/16/1996	Bullivant; Michael
____ 51	US5510396	4/23/1996	Prewett; Annamarie B.
____ 52	US5522899	6/4/1996	Michelson; Gary K.
____ 53	US5534030	7/9/1996	Navarro; Richard R.
____ 54	US5549679	8/27/1996	Kuslich; Stephen D.
____ 55	US5554191	9/10/1996	Lahille; Michel

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____ 56	US5585116	12/17/1996	Boniface; Robert
____ 57	US5609635	3/11/1997	Michelson; Gary K.
____ 58	US5645591	7/8/1997	Kuberasampath; Thangavel
____ 59	US5653763	8/5/1997	Errico; Joseph P.
____ 60	US5658335	8/19/1997	Allen; Ronald C.
____ 61	US5665122	9/9/1997	Kambin; Parviz
____ 62	US5676701	10/14/1997	Yuan; Hansen A.
____ 63	US5683465	11/4/1997	Shinn; Gary Lee
____ 64	US5693100	12/2/1997	Pisharodi; Madhavan
____ 65	US5702391	12/30/1997	Lin; Chih-I
____ 66	US5702450	12/30/1997	Bisserie; Michel
____ 67	US5702453	12/30/1997	Rabbe; Louis-Marie
____ 68	US5702455	12/30/1997	Saggar; Rahul
____ 69	US5713904	2/3/1998	Errico; Joseph P.
____ 70	US5749916	5/12/1998	Richelsoph; Marc
____ 71	US5776197	7/7/1998	Rabbe; Louis-Marie
____ 72	US5776199	7/7/1998	Michelson; Gary Karlin
____ 73	US5782832	7/21/1998	Larsen; Scott W.
____ 74	US5800550	9/1/1998	Sertich; Mario M.

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Examiner Initial*	Document Number	Issue/Publication Date	Name
____ 75	US5888227	3/30/1999	Cottle; William
____ 76	US5899941	5/4/1999	Nishijima; Yuichiro
____ 77	US5916267	6/29/1999	Tienboon; Prakit
____ 78	US5989290	11/23/1999	Biedermann; Lutz
____ 79	US6015436	1/18/2000	Schonhoffer; Helmut
____ 80	US6102950	8/15/2000	Vaccaro; Alex
____ 81	US6106557	8/22/2000	Robioneck; Bernd
____ 82	US6113638	9/5/2000	Williams; Lytton A.
____ 83	US6176881	1/23/2001	Schar; Manuel
____ 84	US6217579	4/17/2001	Koros; Tibor
____ 85	US6344057	2/5/2002	Rabbe; Louis Marie
____ 86	US6375681	4/23/2002	Truscott; James William
____ 87	US6375683	4/23/2002	Crozet; Yves
____ 88	US6402785	6/11/2002	Zdeblick; Thomas A.
____ 89	US6524641	2/25/2003	de Witzmann; Monica Cotlear
____ 90	US2002161441A1	10/31/2002	Lang, Bruno
____ 91	US2003208272A1	11/6/2003	Crozet, Yves

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Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
____ 92	EP188954A1	07/30/1986	EPO	N/A
____ 93	EP425542B1	3/1/1995	EPO	N/A
____ 94	EP538183A1	4/21/1993	EPO	N/A
____ 95	EP610837A1	8/17/1994	EPO	N/A
____ 96	WO0049977C2	8/30/2001	WIPO	N/A
____ 97	WO9214423A1	9/3/1992	WIPO	N/A
____ 98	WO9700054A1	1/3/1997	WIPO	N/A

Other Documents

Examiner:

Date Considered:

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Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial\*

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**References Cited by Applicants**

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

K:\Intellectual Property\IDS citation.doc

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